

Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2008 Legislative Session

Legislative day # 4

BILL NO. 27 – 2008 (ZRA – 88)

**Introduced by: The Chair
at the request of Taylor Family Limited Partnership A & B**

AN ACT amending the Howard County Zoning Regulations to permit certain retail and personal service uses for age-restricted adult housing in the POR zoning district by right in certain circumstances; permit certain retail and personal service uses permitted in the B-1 zoning district by right in certain circumstances in the PEC zoning district; and generally relating to retail and personal service uses.

Introduced and read first time _____, 2008. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2008 and concluded on _____, 2008.

By order _____
Sheila M. Tolliver, Administrator to the County Council

This Bill was read the third time _____, 2008 and Passed ___, Passed with amendments ___, Failed ___.

By order _____
Sheila M. Tolliver, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2008 at _____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 2008.

Ken Ulman, County Executive

NOTE; [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.
~~Strikeout~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

Section 1. Be it enacted by the County Council of Howard County, Maryland, that Subsection A “Purpose”, of Section 115 “POR (Planned Office Research) District” is hereby reenacted without changes; Number 2 “Age-restricted adult housing”, Subsection B “Uses Permitted as a Matter of Right”, of Section 115 “POR (Planned Office Research) District”, is hereby amended; and a new Number 6 “Retail and Personal Services” is added to Subsection E “Additional Requirements For Age-Restricted Adult Housing”, of Section 115 “POR (Planned Office Research) District” of the Howard County Zoning Regulations to read as follows:

Howard County Zoning Regulations

SECTION 115 POR (Planned Office Research) District

A. Purpose

The Planned Office Research District is established to permit and encourage diverse institutional, commercial, office research and cultural facilities.

B. Uses Permitted as a Matter of Right

1. Adult live entertainment establishments, subject to the requirements of Section 128.H.
2. Age-restricted Adult housing, INCLUDING RETAIL AND PERSONAL SERVICES USES SUBJECT TO THE REQUIREMENTS OF SUBSECTION 115.E.6.

E. Additional Requirements For Age-Restricted Adult Housing

6. RETAIL AND PERSONAL SERVICE USES

- a. RETAIL AND PERSONAL SERVICE USES ARE PERMITTED ON A LOT THAT IS PART OF A PROJECT PROPOSING OR CONTAINING A MINIMUM OF 100 AGE-RESTRICTED ADULT HOUSING UNITS AND A POR DISTRICT OF AT LEAST 10 ACRES.

- b. RETAIL AND PERSONAL SERVICE USES ARE LIMITED TO THE FOLLOWING USES PERMITTED IN THE B-1 DISTRICT:
- A. PERSONAL SERVICE ESTABLISHMENTS, SUCH AS BARBER AND BEAUTY SHOPS, OPTICIANS, PHOTOGRAPHERS AND TAILORS.
 - B. DRUG AND COSMETIC STORES;
 - C. CONVENIENCE STORES.
 - D. SPECIALTY STORES.
 - E. RESTAURANTS, CARRYOUT, INCLUDING INCIDENTAL DELIVERY SERVICES.
 - F. ANTIQUÉ SHOPS, ART GALLERIES, CRAFT SHOPS.
 - G. BAKERIES, PROVIDED ALL GOODS BAKED ON THE PREMISES SHALL BE SOLD AT RETAIL FROM THE PREMISES.
 - H. CARPET AND FLOOR COVERING STORES.
 - I. CLOTHING AND APPAREL STORES WITH GOODS FOR SALE OR RENT.
 - J. FARMERS MARKETS AND FARM PRODUCE STANDS.
 - K. LAUNDRY AND/OR DRY CLEANING ESTABLISHMENTS, EXCEPT THAT PICKUP AND DELIVERY SERVICES SHALL NOT BE PROVIDED.
 - L. LIQUOR STORES.
 - M. PET GROOMING ESTABLISHMENTS.
 - N. REPAIR OF ELECTRONIC EQUIPMENT, RADIOS, TELEVISIONS. COMPUTERS, CLOCKS, WATCHES, JEWELRY, AND SIMILAR ITEMS.
 - O. SEASONAL SALE OF CHRISTMAS TREES OR OTHER DECORATIVE PLANT MATERIALS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.D.4.
 - P. SERVICE AGENCIES, SUCH AS REAL ESTATE AGENCIES, INSURANCE AGENCIES, SECURITY SERVICES, MESSENGER SERVICES, COMPUTER SERVICES, TRAVEL AGENCIES, MAILING SERVICES.
- c. THE DESIGN OF STRUCTURES SHALL BE COMPATIBLE WITH OTHER STRUCTURES IN THE VICINITY.

- 1 d. OCCUPANCY OF A BUILDING FOR B-1 USES SHALL NOT BE APPROVED UNTIL AT LEAST
2 100 BUILDING PERMITS HAVE BEEN ISSUED FOR AGE-RESTRICTED ADULT HOUSING
3 UNITS WITHIN THE PROJECT.
- 4 e. GROSS SQUARE FEET OF RETAIL SHALL NOT EXCEED 200 SQUARE-FEET OF FLOOR
5 AREA PER DWELLING UNIT FOR THE FIRST 100 DWELLING UNITS. AN ADDITIONAL 50
6 SQUARE-FEET OF RETAIL SHALL BE PERMITTED FOR EACH UNIT OVER THE FIRST 100
7 UNITS WITH A MAXIMUM OF 40,000 SQUARE-FEET OF RETAIL WITHIN THE PROJECT.
- 8
- 9 f. FOR THE PURPOSE OF THIS SECTION, A PROJECT SHALL INCLUDE ALL PROPERTY
10 INCLUDED ON A SKETCH PLAN OR A RECORD PLAT OR UNDER A COMMON MASTER
11 HOMEOWNERS ASSOCIATION.
- 12
- 13

14 ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that***
15 ***Subsection A “Purpose”, of Section 116 “PEC (Planned Employment Center) District” is***
16 ***hereby reenacted without changes and a new Number ~~35~~ 36 is added to Subsection B “Uses***
17 ***Permitted as a Matter of Right”, of Section 116 “PEC (Planned Employment Center)***
18 ***District” of the Howard County Zoning Regulations to read as follows:***

19

20 **A. Purpose**

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22 The PEC District is established to provide for comprehensively planned employment centers
23 combining research and development, office, light manufacturing and assembly, limited
24 commercial and other enumerated uses. It is intended that this district provide higher standards
25 of development and a more flexible approach to design and development than could be
26 achieved under conventional zoning districts.

27

28 It is further the purpose of this district to:

- 29 1. Provide for orderly development of large-scale, comprehensively planned employment
30 centers;
- 31
- 32 2. Provide for open areas to act as buffers between incompatible uses and as design
33 elements which will achieve the physical and aesthetic integration of the uses and
34 activities within each development; and
- 35

- 1 3. Provide a landscaped, campus-like setting for employment in which the various uses
2 relate compatibly with one another according to a comprehensive plan of development
3 for an entire district.
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5 **B. Uses Permitted as a Matter of Right**

6 ~~35. RETAIL AND PERSONAL SERVICE USES PERMITTED IN THE B -1 DISTRICT SHALL BE~~
7 ~~ALLOWED ON LOTS IN A PLANNED DEVELOPMENT CONTAINING A MINIMUM OF 500~~
8 ~~DWELLING UNITS. THE TOTAL AREA OF RETAIL USES DEVELOPED UNDER THIS~~
9 ~~SECTION SHALL NOT EXCEED 40,000 SQUARE FEET. FOR THE PURPOSE OF THIS~~
10 ~~SECTION, A PLANNED DEVELOPMENT SHALL INCLUDE ALL PROPERTY UNDER A~~
11 ~~COMMON MASTER HOMEOWNERS ASSOCIATION.~~

12 36. THE FOLLOWING RETAIL AND PERSONAL USES PERMITTED IN THE B -1
13 ZONING DISTRICT SHALL BE ALLOWED ON LOTS IN A PLANNED
14 DEVELOPMENT CONTAINING A MINIMUM OF 500 DWELLING UNITS.
15 THE GROSS FLOOR AREA OF RETAIL USES DEVELOPED UNDER THIS
16 SECTION SHALL NOT EXCEED 40,000 SQUARE FEET. FOR THE PURPOSE
17 OF THIS SECTION, A PLANNED DEVELOPMENT SHALL INCLUDE ALL
18 PROPERTY UNDER A COMMON MASTER HOMEOWNERS ASSOCIATION.

19 A. CONVENIENCE STORES;

20 B. DRUG AND COSTMETIC STORES;

21 C. LAUNDRY AND DRY CLEANING ESTABLISHMENTS WITHOUT
22 DELIVERY SERVICES;

23 D. LIQUOR STORES;

24 E. PERSONAL SERVICE ESTABLISHMENTS SUCH AS BARBER AND
25 BEAUTY SHOPS, OPTICIANS, PHOTOGRAPHERS, TAILORS;

26 F. RETAURANTS, CARRYOUT, INCLUDING INCIDENTAL DELIBERY
27 SERVICES;

28 G. SPECIALTY STORES;

29 H. ANIMAL HOSPITALS, COMPLETELY ENCLOSED;

30 I. ANTIQUE SHOPS, ART GALLERIES, CRAFT SHOPS;

31 J. BAKERIES, PROVIDED ALL GOODS BAKED ON THE PREMISES
32 SHALL BE SOLD AT RETAIL FROM THE PREMISES;

33 K. BICYCLE REPAIR SHOPS;

34 L. CARPET AND FLOOR COVERING STORES

35 M. CLOTHING AND APPAREL STORES WITH GOODS FOR SALE OR

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O. FOOD STORES;

Q. REPAIR OF ELECTRONIC EQUIPMENT, RADIOS, TELEVISIONS.

R. SEASONAL SALE OF CHRISTMAS TREES OR OTHER DECORATIVE

SECTION 128.D.4;

INSURANCE AGENCIES, SECURITY SERVICES, MESSENGER

SERVICES.

Section 3. Be it further enacted by the County Council of Howard County, Maryland, that the provisions of this act shall become effective 61 days after enactment.